

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER W. LINDNER,

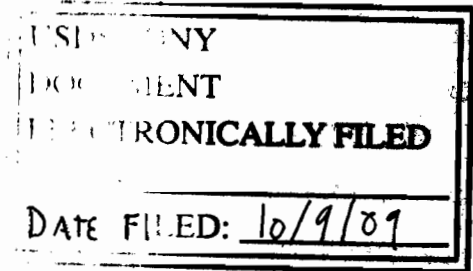
Plaintiff,

-v-

INTERNATIONAL BUSINESS MACHINES
CORP., ROBERT VANDERHEYDEN, HEATHER
CHRISTO HIGGINS, JOHN DOE #1, and JOHN
DOE #2,

Defendants.

No. 06 Civ. 4751 (RJS)
ORDER



RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a letter from Plaintiff requesting that the Court appoint a federal defender to represent him. Although the Court has ordered Plaintiff to show cause why he should not be sanctioned for violating the Court's prior orders, the Court is not currently contemplating ordering the incarceration of Plaintiff. He thus does not have a right to appointed counsel, and the request is denied. *See United States v. Bobart Travel Agency, Inc.*, 699 F.2d 618, 620 (2d Cir. 1983). As has been the case throughout this litigation, however, Plaintiff has the right to retain counsel at his own expense.

Dated: October 9, 2009
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

A copy of this order was e-mailed to:

Peter W. Lindner
nyc10003@nyc.rr.com